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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 1119 (1997) of 14 July 1997, in which the Council requested me to submit by 5 January 1998 a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement to resolve peacefully their differences in this area.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya). The current mandate of the mission expires on 15 January 1998.

3. In accordance with resolution 1119 (1997), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by carrying out vehicle and foot patrols on both sides of the international border, except when prevented from doing so by restrictions of movement imposed by one party or the other. As part of its work, the mission holds regular meetings with local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. In that context, the Chief Military Observer maintains contacts with the authorities in Zagreb and Belgrade in order to address issues arising from resolution 1119 (1997). Cooperation between UNMOP and the multinational stabilization force is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

4. Since the submission of my report of 1 July 1997 (S/1997/506), the situation in the UNMOP area of responsibility has remained stable. Occasional violations of the demilitarization regime, consisting of several sightings of Croatian Army and Yugoslav personnel and one sighting of a Croatian heavy weapon

were fewer in number and of lesser significance than similar violations reported in the past.

5. The long-standing violations of the demilitarization regime in the United Nations controlled zone (the so-called "Blue Zone") continue, caused by the presence of approximately 30 Croatian Special Police, located at two positions and one checkpoint, and of approximately six Yugoslav (Montenegrin) Border Police, located at one position and one checkpoint.

6. In addition, the waters of the United Nations controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats, as well as occasionally by Croatian police boats. The Croatian authorities continue to grant civilians, including journalists, unauthorized access to the northern part of the United Nations controlled zone, close to the Prevlaka compound.

7. The most significant long-standing violation in the demilitarized zone (the so-called "Yellow Zone") is the continuing presence of Yugoslav Army troops in the north-western part. Owing to the restriction imposed by the Yugoslav authorities on the movement of United Nations military observers in that area, UNMOP has not been able to ascertain the strength and armament of these Yugoslav Army troops.

8. As regards the freedom of movement of United Nations military observers elsewhere in the UNMOP area of responsibility, Croatia continues to deny them routine access to positions in the northern portion of the demilitarized zone and to several positions in the southern portion.

9. Since my previous report, the observed number of Croatian Special Police personnel deployed in the UNMOP area of responsibility has decreased from approximately 350 to approximately 250. It should be noted that the agreed regime of demilitarization imposes no limit upon the number of police personnel inside the demilitarized zone, where practically all of the reduction occurred.

III. PROGRESS TOWARDS ADOPTION OF THE PRACTICAL OPTIONS

10. During discussions with the Croatian and Yugoslav authorities in October 1997, the Chief Military Observer again appealed to the parties to improve their compliance with the demilitarization regime. In particular, he urged the parties to remove landmines from areas patrolled by the United Nations military observers and to cease their interference with the observers' freedom of movement. These steps are among the practical options that were proposed by UNMOP in May 1996, as part of the procedures to reduce tension and improve safety and security in the area (see S/1996/502, para. 7).

11. Following negotiations between UNMOP and Croatian officials, the Minister of Internal Affairs of Croatia ordered the clearing of a minefield along a road inside the United Nations controlled zone. During November and December, a total of 67 mines were cleared. Upon the completion of this project, the Croatian authorities closed three positions of the Special Police inside the United Nations controlled zone. These actions represent the first substantial progress towards implementation of the practical options since June 1996.

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Subsequently, the Yugoslav Army conducted a mine-searching operation along a road inside the United Nations controlled zone and confirmed that the road was free of mines. As a result of these actions by the parties, United Nations military observers are now able to patrol all roads inside the United Nations controlled zone without risk to their safety.

12. Efforts by the Chief Military Observer to establish procedures for regular access to positions throughout the UNMOP area of responsibility have not so far been successful. The Yugoslav authorities have, however, lifted the partial restriction on the access of United Nations military observers to Border Police positions and also on their use of a road in the demilitarized zone.

IV. PROGRESS TOWARDS A SETTLEMENT

13. Since my previous report, the parties have continued to indicate in their contacts with United Nations officials that their bilateral negotiations pursuant to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed at Belgrade on 23 August 1996 (S/1996/706, annex), have not yet addressed the Prevlaka dispute directly and that there has been no progress towards a settlement. Public statements by senior government officials in Croatia and the Federal Republic of Yugoslavia have confirmed those indications.

14. The unresolved dispute over Prevlaka continues to obstruct progress towards opening the international border crossing at Debeli Brijeg, inside the UNMOP area of responsibility. Croatian and Yugoslav officials have again been unable to reach agreement on the status of this crossing point, despite the signing on 15 September of a "soft border regime" to regulate other border crossings between Croatia and the Federal Republic of Yugoslavia (S/1997/767, para. 33).

V. OBSERVATIONS

15. Since my previous report, the parties have continued to indicate in their contacts with UNMOP that they retain their divergent interpretations of the Prevlaka dispute, as reflected in their letters addressed to me on 12 December 1997 (S/1997/984) and 22 December 1997 (S/1997/1002) respectively. For Croatia, it is a security issue, whereas the Federal Republic of Yugoslavia regards it as a territorial issue.

16. The stability which has prevailed in the UNMOP area of responsibility since the establishment of the mission on 1 February 1996 has not been disrupted by any serious incidents. The welcome steps of compliance with the practical options proposed by UNMOP have served to confirm the lessening of tensions. Furthermore, both parties have continued to reiterate, publicly as well as in contacts with my Chief Military Observer, their firm commitment to a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of their Agreement on Normalization of Relations.

17. On the other hand, substantive negotiations have not started and, in discussions with UNMOP, Croatian and Yugoslav officials have held out no

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prospect of an end to the long-term violations in the United Nations controlled zone (see para. 5). It is the assessment of the Chief Military Observer that these and the other violations of the demilitarization regime do not threaten stability in the UNMOP area of responsibility and do not prevent UNMOP from carrying out its mandate. However, together with the continuing divergence of views on the exact delimitation of the United Nations controlled and demilitarized zones, they provide a constant irritant in the relations between UNMOP and the local authorities, an irritant which should be removed.

18. UNMOP plays an essential role in maintaining conditions conducive to negotiations, and recent developments at other parts of the border between Croatia and the Federal Republic of Yugoslavia give me grounds for hope that the two countries can solve the disputed issue of Prevlaka through mutual negotiations. Until then they have agreed to respect the existing security regime established through United Nations monitoring. I therefore recommend a further six-month extension of the UNMOP mandate until 15 July 1998. I appeal to Croatia and the Federal Republic of Yugoslavia once again to commence substantive talks. Should they so wish, the whole set of instruments of the United Nations is at their disposal to assist in the search for a peaceful settlement.

19. In conclusion, I would like to pay tribute to the Chief Military Observer and the men and women of UNMOP who have carried out their important tasks in a conscientious and effective manner.